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Intellectual Property Law & Related Matters

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JUL 15 2005**FACSIMILE TRANSMISSION**

TO: USPTO
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FAX NO. (571) 273-8300

FROM: Ronald J. Corbett

RE: Serial No.: 09/092,158
Attorney Docket No.: MRECHANT 33-3-3
AGER-113941

DATE: July 15, 2005

PAGES: 17 (including cover page)

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MESSAGE:

Please send fax confirmation to: 972-480-8865

Transmitted herewith please find:

Statement under 37 CFR 3.73(b) (pp.1)
Notice of Recordation of Assignment and Recorded Assignment (pp.7)
Patent Assignment between Lucent and Agere (pp.6); and
Harriet Windsor letter and Certificate (pp.2)
Facsimile transmittal (pp.1)

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Mailing Address: P.O. Box 832570, Richardson, Texas 75083-2570
Street Address: Palisades Central II, 2435 North Central Expressway, Suite 1300, Richardson, Texas 75080-2753 U.S.A.
Tel: (972) 480-8800 Fax: (972) 480-8865 firm@hittgaines.com

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Approved for use through 07/31/2006. OMB 0651-0031

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STATEMENT UNDER 37 CFR 3.73(b)**RECEIVED
CENTRAL FAX CENTER**Applicant/Patent Owner: Agere Systems Inc.Application No./Patent No.: 09/092,158Filed/Issued Date: JUL 15 2005
06/05/1998Entitled: METHOD FOR THE FABRICATION OF CONTACTS IN AN INTEGRATED CIRCUIT DEVICEAgere Systems Inc. corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

States that it is :

1. ☒ [x] the assignee of the entire right, title, and interest; or
2. ☐ [] an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

In the patent application/patent identified above by virtue of either:

A. ☐ [] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☒ [X] A Chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From Inventor(s) To: Lucent Technologies Inc.
The document was recorded in the United States Patent and Trademark Office at Reel 9341, Frame 0043, or for which a copy thereof is attached.
2. From Lucent Technologies Inc. To: Agere Systems Guardian Corp.
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From Agere Systems Guardian Corp. To: Agere Systems Inc.
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ [] Additional documents in the chain of title are listed on a supplemental sheet.☒ [X] Copies of assignments or other documents in the chain of title are attached.

[Note: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

July 15, 2005

Date

Ronald J. Corbett

Typed or printed name



Signature

Attorney for Applicant

Title

OCT 23 1998

113941 cwc



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

OCTOBER 14, 1998

PTAS

HITT CHWANG & GAINES, P.C.
CHARLES W. GAINES
225 UNIVERSITY PLAZA
275 WEST CAMPBELL ROAD
RICHARDSON, TEXAS 75080



100780686A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/24/1998

REEL/FRAME: 9341/0043

NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

MERCHANT, SAILESH M.

DOC DATE: 07/08/1998

ASSIGNOR:

OH, MINSEOK

DOC DATE: 07/08/1998

ASSIGNOR:

NGUYENPHU, BINH

DOC DATE: 07/08/1998

ASSIGNEE:

LUCENT TECHNOLOGIES INC.
600 MOUNTAIN AVENUE
P.O. BOX 636
MURRAY HILL, NEW JERSEY 07974-0636

SERIAL NUMBER: 09092158

FILING DATE: 06/05/1998

PATENT NUMBER:

ISSUE DATE:

JUL 15 2005 1:00PM

HITT GAINES 9724808865

NO. 1396 P. 4

9341/0043 PAGE 2

SHARMALLA SIMPSON, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

0651-0011 (exp. 4/94)



07-30-1998

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JUL 15 2005

LUCT-113941



100780686

To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Sailesh M. Merchant; Minseok Oh; Binh Nguyenphu

Additional name(s) of conveying party(ies) attached?

☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: Lucent Technologies Inc.

Internal Address:

Post Office Address: 600 Mountain Avenue
P.O. Box 636
Murray Hill, New Jersey 07974-0636Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other _____

Execution Date: 7/8/98; 7/8/98; 7/8/98

4. Application number(s) or patent number(s): 09/092.158 Filed 6/5/98

If this document is being filed with a new application, the execution date of the application is: _____

A. Patent Application No.(s) _____

B. Patent No.(s) _____

Additional numbers attached?

☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Charles W. Gaines
Hitt Chwang & Gaines, P.C.
Internal Address: 225 University Plaza
275 West Campbell Road
Richardson, Texas 75080
Street Address: Same

6. Total number of applications and patents involved: 1

7. Total fee (37 CFR 3.41) \$ 40.00

☐ Enclosed☒ Authorized to charge deposit account

8. Deposit account number: 12-2325

Attach duplicate copy of this page if paying by deposit account.

DO NOT USE THIS SPACE

07/28/1998 HITT GAINES 00000093 122325 09092158

02 FC:591 40.00 CH

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Charles W. Gaines, Reg. No. 36,804
Name of Person Signing

Signature

Date

July 21, 1998

Total number of pages including cover sheet, attachments, and document: 5

ATTORNEY DOCKET NO. : MERCHANT 33-3-3

PATENT

ASSIGNMENT AND AGREEMENT

For value received, we, Sailesh M. Merchant, resident of Orlando, in the County of Orange and State of Florida, and Minseok Oh, resident of Orlando, in the County of Orange and State of Florida, and Binh Nguyenphu, resident of Orlando, in the County of Orange and State of Florida, hereby sell, assign and transfer to Lucent Technologies Inc., a corporation of the State of Delaware, having an office at 600 Mountain Avenue, Murray Hill, New Jersey 07974-0636, U.S.A., and its successors, assigns and legal representatives, the entire right, title and interest, for the United States of America, in and to certain inventions related to "METHOD FOR THE FABRICATION OF CONTACTS IN AN INTEGRATED CIRCUIT DEVICE" described in an application for Letters Patent of the United States, executed by us of even date herewith, and all the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and we also concurrently hereby sell, assign and transfer to Lucent Technologies Inc. the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

We authorize Lucent Technologies Inc. to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from us, any and all benefits, including the right of priority provided by any and all treaties, conventions or agreements.

We hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of Lucent Technologies Inc. to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

We request that any and all patents for said inventions be issued to Lucent Technologies Inc. in the United States, or to such nominees as they may designate.

We agree that, when requested, we shall, without charge to Lucent Technologies Inc. but at its expense, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.



Sailesh M. Merchant

Date: 8 July '98

United States of America)

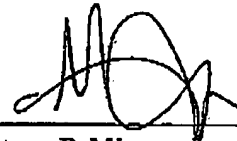
State of FL) ss.: 309-52-1720

County of ORANGE)

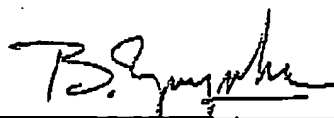
On this 8 day of JULY, 1998, before me personally came Sailesh M. Merchant, to me known to be the individual described herein and who executed the foregoing instrument, and acknowledged execution of the same.



MARK G. THOMPSON
Comm. No. CC 446005
My Comm. Exp. Mar. 16, 1999
Bonded thru Fitchard Ins. Agcy.



Notary Public



Binh Nguyenphu

Date: July 8th 1998

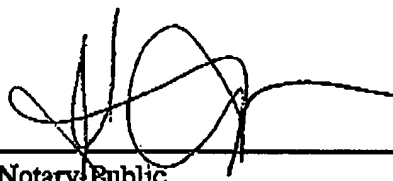
United States of America)

State of FL) ss.: 309-52-1720County of ORANGE)


On this 8 day of JULY, 1998, before me personally came Binh Nguyenphu, to me known to be the individual described herein and who executed the foregoing instrument, and acknowledged execution of the same.



MARK G. THOMPSON
Comm. No. CC 446009
My Comm. Exp. Mar. 18, 1999
Bonded thru Pichard Ins. Agcy.



Notary Public


Minseok Oh

Date: 8 JUL 2008

United States of America)

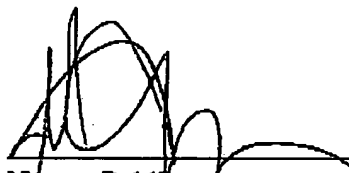
State of FL) ss.: 309-52-1720

County of ORANGE)

On this 8 day of JULY, 192008, before me personally came Minseok Oh, to me known to be the individual described herein and who executed the foregoing instrument, and acknowledged execution of the same.



MARK G. THOMPSON
Comm. No. CC 446005
My Comm. Exp. Mar. 16, 1999
Bonded thru Richard Ins. Agcy.


Notary Public

EXECUTION COPY

PATENT ASSIGNMENT

by and between

LUCENT TECHNOLOGIES INC.

and

AGERE SYSTEMS GUARDIAN CORP.

Dated as of January 30, 2001

PATENT ASSIGNMENT

THIS PATENT ASSIGNMENT (this "Assignment"), effective as of January 30, 2001 (the "Effective Date"), is by and between Lucent Technologies Inc., a Delaware corporation, with offices at 600 Mountain Avenue, Murray Hill, New Jersey 07974, United States of America, ("ASSIGNOR") and Agere Systems Guardian Corp., a Delaware corporation, with offices at 555 Union Boulevard, Allentown, PA 18109, United States of America ("Agere Systems Guardian").

RECITALS

A. WHEREAS, the Board of Directors of ASSIGNOR has determined that it is in the best interests of ASSIGNOR and its stockholders to separate ASSIGNOR's existing businesses into two independent businesses;

B. WHEREAS, ASSIGNOR presently owns or controls certain patents, patent applications, and invention submissions listed in the attached Appendices A and B (hereinafter "TRANSFERRED PATENTS") and;

C. WHEREAS, in furtherance of the foregoing separation, ASSIGNOR desires to transfer, assign, convey, deliver and vest all of its interests and rights in TRANSFERRED PATENTS for all countries, jurisdictions and political entities of the world, to and in Agere Systems Guardian;

NOW, THEREFORE, in consideration of the premises and for other good and valid consideration, the receipt and sufficiency of which are hereby acknowledged, the parties, intending to be legally bound, agree as follows:

ASSIGNOR, subject to existing rights and licenses of third parties, does hereby assign, convey, transfer and deliver, and agrees to assign, convey, transfer and deliver to Agere Systems Guardian, its successors, assigns and legal representatives or nominees, ASSIGNOR's entire right, title and interest, for all countries, jurisdictions and political entities of the world, along with the right to sue for past infringement, to all TRANSFERRED PATENTS listed on Appendices A and B, and corresponding counterpart foreign patents and patent applications, with respect to which, and to the extent to which, ASSIGNOR now has or hereafter acquires the right to so assign, convey, transfer and deliver. Agere Systems Guardian recognizes that ASSIGNOR holds only bare legal title to the TRANSFERRED PATENTS listed in Appendix A (which lists the United States Patents and patent applications previously exclusively licensed to Lucent Technologies Microelectronics Guardian Corp.).


ASSIGNOR and ASSIGNEE recognize that the patents listed in Appendices A and B may inadvertently include patents that are owned by various subsidiaries of ASSIGNOR, including Agere, Inc., Ortel Corporation, Optimay Corporation, Herrmann Technology, Inc., and Enable Semiconductor, Inc. Ownership of such patents shall not be affected by this Patent

Assignment, and ASSIGNEE agrees that any such patents shall be deemed deleted from Appendices A and B.

ASSIGNOR agrees that, upon request it will, at any time without charge to Agere Systems Guardian, but at Agere Systems Guardian's expense, furnish all necessary documentation relating to or supporting chain of title, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for vesting title to TRANSFERRED PATENTS in Agere Systems Guardian, its successors, assigns and legal representatives or nominees; including but not limited to any acts which may be necessary, desirable or convenient for claiming said rights and for securing and maintaining patents for said inventions in any and all countries and for vesting title thereto in Agere Systems Guardian and its respective successors, assigns and legal representatives or nominees.

IN WITNESS WHEREOF, the parties have caused this PATENT ASSIGNMENT to be executed by their duly authorized representatives as of the Effective Date.

LUCENT TECHNOLOGIES INC.

By: 
Daniel P. McCurdy
President, Intellectual Property Business

AGERE SYSTEMS GUARDIAN CORP.

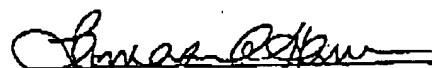
By: 
Fred M. Romano
President

Execution Copy

ACKNOWLEDGMENTS

STATE OF NEW JERSEY)
: ss:
COUNTY OF SOMERSET)

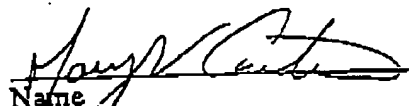
I CERTIFY that on January 30, 2001, Daniel P. McCurdy personally came before me and this person acknowledged under oath, to my satisfaction that:
a.) this person signed, sealed and delivered the attached Patent Assignment as President - Intellectual Property Business of Lucent Technologies Inc.; and
b.) this Patent Assignment was signed and made by Lucent Technologies Inc. as its voluntary act and deed by virtue of authority from its Board of Directors.



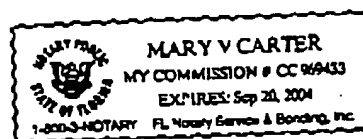
Name TAMORA ANNE HANNA
Notary Public Notary Public of New Jersey
My Commission Expires March 25, 2002
[Notarial Seal] My Commission Expires March 25, 2002

STATE OF FLORIDA)
: ss:
COUNTY OF ORANGE)

I CERTIFY that on January 31, 2001, Fred M. Romano personally came before me and this person acknowledged under oath, to my satisfaction that:
a.) this person signed, sealed and delivered the attached Patent Assignment as Vice President of Agere Systems Guardian Corp.; and
b.) this Patent Assignment was signed and made by Agere Systems Guardian Corp. as its voluntary act and deed by virtue of authority from its Board of Directors.



Name
Notary Public
My Commission Expires:
[Notarial Seal]



Case Name	Filing Date	Issue Date	Patent No.	Serial No.
Mastrocola 11-3-12	1/29/1999			09/239683
Mastrocola 14-27	1/31/2000			09/495522
Mattia 2	11/3/1999			09/433702
Mattia 3	1/25/1999			09/236763
Maury 11-10	5/19/1998		09/080987	
Maury 12-14-2	5/19/1998	4/18/2000	6051500	
Maury 14-17-5	12/24/1998	8/29/2000	6110012	09/220417
Maury 15-5	6/30/1999			09/345039
Maury 16	1/10/2000			09/481484
Maury 18-1-1	6/28/1999			09/340779
Maury 20-21-14-9-1	6/14/1999			09/332216
Maury 22-10	8/16/1999			09/375085
Maury 23-12	10/7/1999			09/414245
Mayak 3-3	2/8/1999			09/245715
McAteer 12-4-1-3	11/13/1995	9/30/1997	D384357	
McCarroll 1	12/29/1998			09/222375
McCarroll 2-3	10/7/1999			09/414665
McDowell 13-25	7/20/1999			09/357327
McKinley 1-5	8/19/1998		09/138740	
McLellan 13	3/1/2000			09/516820
McNeill 5-7	8/28/1998		09/141910	
McPartland 17	2/9/1999			09/247302
McPartland 18	5/4/1999	7/4/2000	6084804	09/304888
McPartland 19	5/26/1999			09/318895
McPartland 23-27	5/9/2000			09/567521
Mecklai 2-1	4/29/1999			09/302071
Mecklai 3-2	5/20/1999			09/315274
Meder 2	3/9/1999			09/264918
Meder 4	6/25/1999			09/344733
Meder 5	7/19/1999			09/356604
Meder 7-95-22-48	7/30/1999			09/364858
Meisner 1	10/30/1998			09/182934
Mellen 1-15-2	9/26/1996	5/2/2000	6058256	
Mera 1-1	8/11/2000		09/636130	
Merchant 100-15-116	10/6/1999			09/413742
Merchant 101-16-117	10/7/1999			09/414058
Merchant 106-17-121	8/30/1999			09/385716
Merchant 107-18-122	8/26/1999	8/8/2000	6100587	09/383753
Merchant 109-124	10/18/1999			09/419986
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Merchant 115-7-128-51	8/31/1999			09/386680
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Merchant 125-30-138	1/21/2000			09/489206
Merchant 126-31-139	2/2/2000			09/486829
Merchant 127-32-140	1/21/2000			09/489363
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Merchant 129-34-144	1/21/2000			09/488899
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Merchant 54-74	6/25/1999			09/344785
Merchant 55-75	1/11/2000			09/480981
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Merchant 64	1/7/2000			09/479530
Merchant 75-1-94	9/23/1999			09/404677
Merchant 82-2-99	6/23/1999	6/6/2000	6071808	09/339085

Delaware

PAGE 1

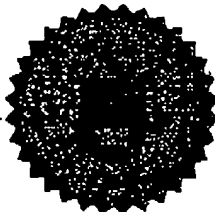
The First State

I, HARRIET SMITH WINDSOR, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF OWNERSHIP, WHICH MERGES:

"AGERE SYSTEMS GUARDIAN CORP.", A DELAWARE CORPORATION,
WITH AND INTO "AGERE SYSTEMS INC." UNDER THE NAME OF "AGERE SYSTEMS INC.", A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF DELAWARE, AS RECEIVED AND FILED IN THIS OFFICE THE TWENTY-NINTH DAY OF AUGUST, A.D. 2002, AT 9 O'CLOCK A.M.

AND I DO HEREBY FURTHER CERTIFY THAT THE EFFECTIVE DATE OF THE AFORESAID CERTIFICATE OF OWNERSHIP IS THE THIRTY-FIRST DAY OF AUGUST, A.D. 2002.

A FILED COPY OF THIS CERTIFICATE HAS BEEN FORWARDED TO THE NEW CASTLE COUNTY RECORDER OF DEEDS.

*Harriet Smith Windsor*

Harriet Smith Windsor, Secretary of State

3268412 8100M

AUTHENTICATION: 1959517

020545223

DATE: 08-29-02

CERTIFICATE OF OWNERSHIP AND MERGER

OF

Agere Systems Guardian Corp.
(a Delaware corporation)

INTO

Agere Systems Inc.
(a Delaware corporation)

**UNDER SECTION 253 OF THE GENERAL
CORPORATION LAW OF THE STATE OF DELAWARE**

Agere Systems Inc., a corporation organized and existing under the laws of Delaware ("Corporation"), DOES HEREBY CERTIFY:

FIRST: The Corporation is the owner of all of the outstanding shares of common stock of Agere Systems Guardian Corp., which is also a business corporation of the State of Delaware.

SECOND: On August 22, 2002 the Subsidiary Governance Committee of the Board of Directors of the Corporation adopted the following resolution to merge Agere Systems Guardian Corp. into the Corporation:

RESOLVED that Agere Systems Guardian Corp., a Delaware corporation, shall be merged with and into Agere Systems Inc., a Delaware corporation, with Agere Systems Inc. being the surviving corporation, and Agere Systems Inc. shall thereupon assume all of the obligations of Agere Systems Guardian Corp."

THIRD: That the merger authorized hereby shall become effective as of 9:00 a.m. Eastern Standard Time on August 31, 2002.

Executed on August 22, 2002

AGERE SYSTEMS INC.

By Paul Bento
Paul Bento, Vice President

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